

### Use of the Information

The purpose of this survey of EPSCoR awardees is to better understand outcomes of NSF EPSCoR-related investments. The data will be used internally to inform NSF as it considers future improvements to the EPSCoR program, and to gain a better understanding regarding the program's impact on associated research and education activities. Findings may be presented externally to Congress, the Office of Management and Budget (OMB), in technical papers at conferences, published in the proceedings of conferences, or in journals.

### Burden on the Public

*Number of Respondents:* 200.  
*Number of Minutes per Response:* 30.  
*Overall Burden Request (in hours):* 100.

Dated: October 22, 2010.

### Suzanne Plimpton,

*Reports Clearance Officer, National Science Foundation.*

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## NUCLEAR REGULATORY COMMISSION

### Seeks Qualified Candidates for the Advisory Committee on Reactor Safeguards

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Request for résumés.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) seeks qualified candidates for the Advisory Committee on Reactor Safeguards (ACRS). Submit résumés to Ms. Brandi Hamilton, ACRS, Mail Stop T2E-26, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or e-mail [brandi.hamilton@NRC.GOV](mailto:brandi.hamilton@NRC.GOV).

**SUPPLEMENTARY INFORMATION:** The ACRS is a part-time advisory group, which is statutorily mandated by the Atomic Energy Act of 1954, as amended. ACRS provides independent expert advice on matters related to the safety of existing and proposed nuclear power plants and on the adequacy of proposed reactor safety standards. Of primary importance are the safety issues associated with the operation of 104 commercial nuclear power plants in the United States and regulatory initiatives, including risk-informed and performance-based regulations, license renewal, power uprates, and the use of mixed oxide and high burnup fuels. An increased

emphasis is being given to safety issues associated with new reactor designs and technologies, including passive system reliability and thermal hydraulic phenomena, use of digital instrumentation and control, international codes and standards used in multinational design certifications, materials and structural engineering, nuclear analysis and reactor core performance, and nuclear materials and radiation protection. In addition, the ACRS may be requested to provide advice on radiation protection, radioactive waste management and earth sciences in the agency's licensing reviews for fuel fabrication and enrichment facilities, and for waste disposal facilities.

The ACRS also has some involvement in security matters related to the integration of safety and security of commercial reactors. See NRC Web site at <http://www.nrc.gov/aboutnrc/regulatory/advisory/acrs.html> for additional information about ACRS. Criteria used to evaluate candidates include education and experience, demonstrated skills in nuclear reactor safety matters, the ability to solve complex technical problems, and the ability to work collegially on a board, panel, or committee. The Commission, in selecting its Committee members, considers the need for a specific expertise to accomplish the work expected to be before the ACRS. ACRS Committee members are appointed to four-year terms and normally serve no more than three terms. The Commission looks to fill two vacancies as a result of this request. For these positions, a candidate must have at least 10 years of broad experience in either of the following areas:

- Nuclear plant operations with demonstrated experience and integrated knowledge of nuclear power plant electrical, mechanical, and control systems.
- A distinguished record of achievement in one or more areas of nuclear science and technology.

Candidates with pertinent graduate level experience will be given additional consideration. Consistent with the requirements of the Federal Advisory Committee Act, the Commission seeks candidates with diverse backgrounds, so that the membership on the Committee is fairly balanced in terms of the points of view represented and functions to be performed by the Committee. Candidates will undergo a thorough security background check to obtain the security clearance that is mandatory for all ACRS members. The security background check will involve the

completion and submission of paperwork to NRC. Candidates for ACRS appointments may be involved in or have financial interests related to NRC-regulated aspects of the nuclear industry. However, because conflict-of-interest considerations may restrict the participation of a candidate in ACRS activities, the degree and nature of any such restriction on an individual's activities as a member will be considered in the selection process. Each qualified candidate's financial interests must be reconciled with applicable Federal and NRC rules and regulations prior to final appointment. This might require divestiture of securities or discontinuance of certain contracts or grants. Information regarding these restrictions will be provided upon request. A résumé describing the educational and professional background of the candidate, including any special accomplishments, publications, and professional references should be provided. Candidates should provide their current address, telephone number, and e-mail address. All candidates will receive careful consideration. Appointment will be made without regard to factors such as race, color, religion, national origin, sex, age, or disabilities. Candidates must be citizens of the United States and be able to devote approximately 100 to 130 days per year to Committee business. Résumés will be accepted **for 90 days from date of issue.**

Dated: October 21, 2010.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 2010-27162 Filed 10-26-10; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63145; File No. SR-Phlx-2010-143]

### Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Active SQF Port Fee

October 21, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on October 15, 2010, NASDAQ OMX PHLX LLC ("Phlx" or "Exchange") filed with the Securities and Exchange Commission

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

(“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

### **I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change**

The Exchange proposes to amend fee calculations for the Active SQF Port Fee. The text of the proposed rule change is available on the Exchange’s Web site at <http://nasdaqtrader.com/micro.aspx?id=PHLXfilings>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

### **II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

#### **A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

##### **1. Purpose**

The purpose of the proposed rule change is to amend the Active SQF Port Fee calculation to account for a new version of the Specialized Quote Feed (“SQF”) interface, which was recently released by the Exchange. The Exchange is amending the Active SQF Port Fee calculation so that member organizations not be assessed port fees for use of the prior version of the interface (SQF 5.0) while transitioning to (and paying for) the new version (SQF 6.0).

In a given month, active SQF ports are ports that receive inbound quotes at any time within that month. SQF is an interface that enables specialists, Streaming Quote Traders (SQTs)<sup>3</sup> and

<sup>3</sup> An SQT is an Exchange Registered Options Trader (“ROT”) who has received permission from the Exchange to generate and submit option quotations electronically through an electronic interface with AUTOM via an Exchange approved proprietary electronic quoting device in eligible options to which such SQT is assigned. See Exchange Rule 1014(b)(ii)(A).

Remote Streaming Quote Traders (“RSQTs”)<sup>4</sup> to connect and send quotes into Phlx XL.<sup>5</sup> The Exchange released SQF 6.0 on October 11, 2010. The Exchange anticipates that member organizations will utilize both SQF 5.0 and SQF 6.0 for a period of time.

Presently, quoting participants (users of SQF 5.0) do not receive reports of executions against their quote or other information that is relevant to their quoting application over SQF 5.0. SQF 6.0 provides more information than SQF 5.0. SQF 6.0 increases efficiency by allowing member organizations to access information such as execution reports and other relevant data through a single feed, rather than through accessing multiple feeds, which was necessary under SQF 5.0.<sup>6</sup>

This administrative data will also include the definition of complex order strategies.<sup>7</sup> Auction notifications are available on SQF 6.0.<sup>8</sup> The new interface, SQF 6.0, will also contain execution report messages, which are not contained in SQF 5.0.<sup>9</sup> Other data is also available on SQF 6.0.<sup>10</sup>

<sup>4</sup> An RSQT is an ROT that is a member or member organization with no physical trading floor presence who has received permission from the Exchange to generate and submit option quotations electronically through AUTOM in eligible options to which such RSQT has been assigned. An RSQT may only submit such quotations electronically from off the floor of the Exchange. See Exchange Rule 1014(b)(ii)(B).

<sup>5</sup> See Securities Exchange Act Release No. 63034 (October 4, 2010), 75 FR 62441 (October 8, 2010) (SR-Phlx-2010-124).

<sup>6</sup> Member organizations that have written interfaces to the PHLX system could use the administrative data to determine the current status of the Exchange’s market for a particular option. For example, this data would show which symbols are trading on the PHLX, the current state of an options symbol (*i.e.*, open for trading, trading, halted or closed), as well as similar information regarding complex order strategies.

<sup>7</sup> See Exchange Rule 1080.08.

<sup>8</sup> A member organization’s quoting application can receive these notifications over the same interface it sends quotes to the Exchange, SQF, and can now use the data to respond to auctions quickly and efficiently. This data is not sent as a quote to the market because it represents interest that is not immediately executable or, in the case of complex orders, represents a complex strategy which is not disseminated by the Options Price Reporting Authority.

<sup>9</sup> The Exchange currently provides Exchange members with execution reports through two interfaces. Execution reports are made available to all exchange participants on a Risk Management Feed known as “RMP,” as well as an interface replacing RMP known as the Clearing Trade Interface or “CTI”. See Securities Exchange Act Release No. 62155 (May 24, 2010), 75 FR 30081 (May 28, 2010) (SR-Phlx-2010-67).

<sup>10</sup> Other data that is available on SQF 6.0 includes: (1) Options Auction Notifications (*e.g.*, opening imbalance, market exhaust, PIXL or other information currently provided on SQF 5.0); (2) Options Symbol Directory Messages (currently provided on SQF 5.0); (3) System Event Messages (*e.g.*, start of messages, start of system hours, start of quoting, start of opening); (4) Complex Order

The Exchange currently assesses an Active SQF Port Fee of \$500 per month per port. Active SQF ports refer to ports that receive inbound quotes at any time within that month. The Exchange anticipates that member organizations will utilize both SQF 5.0 and SQF 6.0 for a period of time.

SQF 5.0 and SQF 6.0 require different port configurations, and, as a consequence, a member organization could be charged for both types of active SQF ports in a given month as the member organization transitions from SQF 5.0 to SQF 6.0. Therefore, the Exchange proposes not to charge a member organization for the use of SQF 5.0 active ports to the extent that the member is paying for the same (or greater) number of SQF 6.0 active ports. (If a member organization has more SQF 5.0 than SQF 6.0 active ports, then the member organization would continue to pay for the “extra” active SQF 5.0 ports.) This would avoid duplicative billing while a member organization transitions its ports from SQF 5.0 to SQF 6.0.<sup>11</sup>

##### **2. Statutory Basis**

The Exchange believes that its proposal to amend its schedule of fees is consistent with Section 6(b) of the Act<sup>12</sup> in general, and furthers the objectives of Section 6(b)(4) of the Act<sup>13</sup> in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members and other persons using its facilities. Specifically, the Exchange believes that this fee proposal is fair, reasonable and equitable because it will prevent all member organizations from experiencing an unintended increase in SQF port charges during the transition from SQF 5.0 to SQF 6.0.

#### **B. Self-Regulatory Organization’s Statement on Burden on Competition**

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

#### **C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others**

No written comments were either solicited or received.

Strategy Auction Notifications (COLA); (5) Complex Order Strategy messages; (6) Option Trading Action Messages (*e.g.*, trading halts, resumption of trading); and (7) Complex Strategy Trading Action Message (*e.g.*, trading halts, resumption of trading).

<sup>11</sup> The Exchange anticipates that it will take several months for this transition to occur.

<sup>12</sup> 15 U.S.C. 78f(b).

<sup>13</sup> 15 U.S.C. 78f(b)(4).

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.<sup>14</sup> At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-Phlx-2010-143 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2010-143. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and

printing in the Commission's Public Reference Room. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2010-143 and should be submitted on or before November 17, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>15</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. 2010-27140 Filed 10-26-10; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63146; File No. SR-BATS-2010-030]

### Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Related to Fees for Use of BATS Exchange, Inc.

October 21, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on October 14, 2010, BATS Exchange, Inc. ("BATS" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify its fee schedule applicable to Members<sup>3</sup> of the Exchange pursuant to BATS Rules 15.1(a) and (c). While changes to the fee schedule pursuant to this proposal will be effective upon filing, the changes will become operative on October 15, 2010.

The text of the proposed rule change is available at the Exchange's Web site at <http://www.batstrading.com>, at the

principal office of the Exchange, and at the Commission's Public Reference Room.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange proposes to modify the "Equities Pricing" section of its fee schedule to adopt pricing for two new order routing strategies, named TRIM and SLIM, and for a Destination Specific Order sent to the Exchange's affiliate, BATS Y-Exchange, Inc. The Exchange also proposes to modify the "Options Pricing" section of its fee schedule to adopt pricing for Destination Specific orders routed to the new C2 Options Exchange. Finally, the Exchange proposes certain non-substantive changes related to the appearance of the fee schedule.

###### (i) Adoption of TRIM Pricing

The Exchange proposes to adopt pricing for its new TRIM order routing strategy, which strategy is focused on seeking execution of orders while minimizing execution costs by routing only to certain low cost execution venues on the Exchange's System routing table. The Exchange proposes to rebate Members \$0.0003 per share for TRIM orders routed to and executed by its affiliated exchange, BATS Y-Exchange, Inc. ("BYX"), which is the same rebate to be offered by BYX to market participants that route directly to and execute at BYX. For executions through TRIM routing that occur at a dark liquidity venue (identified by the Exchange as a "DRT" venue) or the NYSE, the Exchange proposes to charge \$0.0020 per share. Finally, to the extent an order routed through TRIM executes at a low-priced venue other than BYX, a DRT venue or NYSE, the Exchange proposes neither to charge the Member

<sup>15</sup> 17 CFR 200.30-3(a)(12).

<sup>14</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> A Member is any registered broker or dealer that has been admitted to membership in the Exchange.

<sup>14</sup> 15 U.S.C. 78s(b)(3)(A)(ii).